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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/456,127	12/07/1999	ANDREW C. BAIRD	3797.80027	6011

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EXAMINER

SAX, STEVEN PAUL

ART UNIT PAPER NUMBER

2174

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DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/456,127**

Applicant(s)  
**BAIRD**

Examiner  
**Steve Sax**

Art Unit  
**2174**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 6/30/03
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 9, 12-14, 20-25, 27-30, 36, 37, 39, and 41-57 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 8, 9, 12-14, 20-25, 27-30, and 45-56 is/are allowed.
- 6) ☒ Claim(s) 36, 37, 39, 41-44, and 57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 17-19 6) ☐ Other:

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### **DETAILED ACTION**

1. This application has been examined. The amendment filed 6/30/03 has been entered.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 36, 37, 39, 41-44, 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cassorla et al (5146552) and Shwarts et al (6243071).

4. Regarding claim 36, Cassorla shows a data field linking a data structure to a document in a gui (column 2 lines 15-55), a second data field identifying a part of the document being marked by the data structure atleast partially outside the document (column 4 lines 15-25), and a third data field of a visual indicator representative of the data structure (column 4 lines 25-35).

The visual indicator has information identifying the document (Figure 6)., in addition to the aforementioned, Cassorla et al do not go into the specific details of the third data field based on the usr modifiable properties of the visual indicator, but do display linking structure information for easy user navigation. Furthermore, Shwarts et al do show data field information based on the

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user modifiable properties (column 18 lines 20-45, 50-65) for easy user navigation. It would have been obvious to a person with ordinary skill in the art to have this in Cassorla et al, because it would provide a convenient way for easy user navigation.

5. Regarding claim 37, Shwartz shows a bookmark object represented by the data structure (Figures 15-17, column 18 lines 20-35). The bookmark object links to the desired parts of the document (Shwartz Column 18 lines 60-68, column 19 lines 1-12).

6. Regarding claim 39, the data field is a hyperlink (Shwartz Figure 15, column 18 lines 30-67).

7. Regarding claim 41, the bookmark object may be selected to display information which may be modified (Shwartz column 19 lines 19-42). This includes changing the title (note that only this need be shown as claim 11 recites 'atleast one of:')

8. Regarding claims 42-44, the document may be stored on local or remote computer mediums (Cassorla et al column 5 lines 20-30).

9. Regarding claim 57, in addition to the aforementioned, a second selection signal causes a second visual indicator to be displayed in the document (column 3 lines 10-45).

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10. Claims 1-6, 8-9, 12-14, 20-25, 27-30, 45-56 are allowable over the prior art of record.

These claims bring out the more detailed features that describe the user modifiable properties of the visual indicator bookmark as well as how the visual indicator is displayed atleast partially outside the document.

11. Applicant's arguments filed have been fully considered but they are not persuasive.

Casorla in fact do show the data structures as recited, and link to visual indicators. Also, the passage in Shwartz does not show otherwise that a second visual indicator may be displayed.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306

Official Communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



STEVE SAX  
PRIMARY EXAMINER